

# **EXHIBIT D**

Declaration of Robert A. Stein

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL LEAGUE  
PLAYERS' CONCUSSION INJURY  
LITIGATION

No. 2:12-md-02323-AB

MDL No. 2323

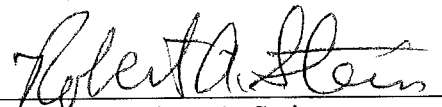
Declaration of Robert A. Stein

**Hon. Anita B. Brody**

1. I, Robert A. Stein, am an attorney representing clients in this litigation.
2. This Declaration is in support of the application of Jason Luckasevic and his firm for legal fees relating to the NFL Concussion Litigation.
3. I was an NFL player and the attorney who conceived the legal theory and generally initiated the class action on behalf of retired NFL players concerning the unauthorized use of their publicity rights, *Dryer v. NFL*. I believe I consequently have a unique understanding of the challenges to developing legal theories which adequately address complex retired player issues, fulfill technical legal requirements, yet are understood and resonate with large numbers of retired NFL players. Satisfying this combination of requirements is difficult, and requires unusual credibility with the retired player group. In my opinion, Mr. Luckasevic overcame all of these challenges in the initiation of the first lawsuits which led to this class action. Without his efforts, I have serious doubts that a significant class action would have ensued. NFL concussion issues had been publicly known long before he began his labors.
4. Mr. Luckasevic spent significant time and effort prior to July, 2011 looking into the facts and law surrounding possible concussion litigation, as I know personally from direct communications with him at that time. The financial risk undertaken by him and his firm was significant, and, in my opinion, ultimately necessary to the filing of the cases which began this entire litigation.
5. This legal area is unusually complex, requiring an innovative evaluation of unique causation, professional football operation and medical issues. Mr. Luckasevic was a pioneer in these evaluations, a necessary precursor to the eventual class litigation and proposed settlement.

6. I believe Mr. Luckasevic's efforts in originating the NFL concussion litigation are especially worthy of compensation in light of the fact that almost no discovery took place. Compared with the prolonged and expensive discovery that is typical of most class actions, here the filing of the first two complaints by Mr. Luckasevic's firm and co-counsel set off a chain of events eliciting the filing of thousands of cases against the NFL and resulting in the eventual class action settlement.
7. I swear under penalty of perjury that the foregoing is true and correct.

Executed August 22, 2016

  
Robert A. Stein